

Readout - Tech Briefing with Media

From: "Tooley, Duncan" <duncan.tooley@qpc-cpr.gc.ca>
To: "Cullinan, Annie" <annie.cullinan@qpc-cpr.gc.ca>, "Barrack, Radey" <radey.barrack@qpc-cpr.gc.ca>, "Astravas, Zita" <zita.astravas@qpc-cpr.gc.ca>, "Williams, Caroline" <caroline.williams@qpc-cpr.gc.ca>, "Rettig, Christina" <christina.rettig@qpc-cpr.gc.ca>
Date: Tue, 15 Feb 2022 23:09:31 +0000

Hi Team,

Below is a readout of the Technical Brief for Media regarding the Emergencies Act.

There were a couple of questions in French that I did my best to translate – but definitely didn't catch all of the details in those questions & answers.

Please let me know if you have any questions.

Duncan

**

Moderator (Communications Officer from PS)

- Welcome to Tech Briefing on Emergencies Act
- Officials on the line from PS, Finance, Justice, and RCMP
- Do not record for broadcast – for background only

ADM – PS

- As PM announced, top priority is keeping people safe and protecting jobs, lives, and our economy
- Canadians should feel safe in their communities – but recent unlawful protests have taken that away from many
- Law enforcement in Canada now have the tools they need to protect public safety
- Interfering with critical infrastructure will bring about potential consequences
- Measures will supplement municipal and provincial measures
- Invoking the emergencies act does not allow the federal government to direct the police
- Measures protect certain critical infrastructure areas – including airports, POEs, etc.
- Slow rolls will be prohibited, as is blocking traffic around airports
- Can also compel tow trucks to tow those involved in blockades, for payment
- There will be serious consequences for those who break these rules
- Foreign Nationals attempting to help this movement may be subject to some bans from re-entry
- The CAF involvement is not being considered at this time
- These measures are in effect as of today

DG – Finance

- Order contains 2 main platforms for financial platforms
- Financial Services Providers and Online Crowdfunding Platforms
- The order will require those involved with these unlawful protests to report to FINTRAC

- Financial service providers must unfreeze accounts once they stop sending money to those supporting these unlawful protests

ADM – Justice

- Background on Emergencies Act – enacted in 1988, replacing war measures act
- It includes safeguards – everything subject to the charter of rights and freedoms, and parliamentary reviews
- Only used during an emergency
- Public Welfare Emergency
- Public Order Emergency
- International Emergency
- War Emergency
- This is a Public Order Emergency
- Conditions must be met – Must be in a situation that seriously endangers the lives of Canadians that exceeds capacity of province or sovereignty and situation cannot be handled adequately by province
- Once Emergency has been declared, can be deployed in a wide range of areas – but it does not mean all of the powers need to be used
- There are significant limits and safeguards in the act
- There is a requirement for consultation, table in Parliament within 7 days, oversight committee, 30 day sunset clause, and an inquiry once it finishes
- Federal measures intended to complement provincial measures
- Any step taken must be consistent with CCRF – must be reasonable and proportionate
- Must be debated in each chamber, and then a vote will take place – if house or senate does not pass, immediately revoked

Assistant Commissioner – RCMP

- Act is compliant with the CCRF
- Does not change the authority or mandate of the police of jurisdiction – gives them additional tools
- In real terms – officers will have the ability to prevent travel to areas where unlawful assembly is taking place
- Prevent adults from bringing children in to these areas
- For police, it allows civilians to come help with infrastructure needs (including putting wheels on a vehicle to remove it from the area)

Question – Alex Ballingal

- Question on invocation with threat of terrorism – this is the one I believe the government chose as their rationale for invoking this act. Why did they do this?

Public Safety

- Proclamation order went live earlier today, and calls this a Public Order Emergency
- In the proclamation order, it highlights 5 reason why that justification existed
- 1) Blockades, potential for violence
- 2) Adverse effects on economy
- 3) Adverse effects on trade
- 4_ Effects on essential goods

- 5_ Potential for a further threat of violence
- Those are the categories that went in to this justification – no terrorism in that language

Justice

- Paragraph c is key: achieving a political or ideological objective
- Not invoked on the basis of terrorism

Question – Alex Ballingal

- According to experts, these are short-handed for terrorism. Why are they saying this?

Justice

- Any and all justifications can be relevant in calling a public order emergency

Question – En Francais

- Asking about requirements to take this to parliament within 7 days

Justice

- Has to be presented within 7 days, debated, and then voted on by both chambers

Dylan Robertson – Winnipeg Free Press

- Emerson Manitoba – RCMP tells us they have a deal to leave. Is this true?
- Are you going to compel truckers to move trucks? Or can you take their trucks?

PS

- Apologies – this briefing is about the Emergencies Act. Better posed to the RCMP
- In regard to tow trucks – new powers given to police to deal with these situations

RCMP

- We know that tow truck companies have been threatened, intimidated, and in some instances, working with convoy
- New measures that compel tow trucks – in general – we have pre-established relationships with tow truck companies
- Police would talk to tow truck operators, make sure they understand the need to be compelled, and how they can assist
- I'm comfortable in saying that through dialogue, there will be conversation where tow truck operators will agree to tow trucks
- If not possible, we would look for police with these skill sets and licenses to perform that task

Le Devoir – En Francias

- Reiterates question putting the emergencies act before parliament in 7 days

Justice

- Re-explains details around duty to pose to both houses of parliament

Canadian Press

- Where will the banning of assembly will be applied? Who will be able to go in to those zones, who won't?

Public Safety

- Two documents were published around 530 today on the Orders in Council Website
- Proclamation orders made earlier today
- Emergency measures regulations show some of the new powers under the emergencies act – section 2 provides a prohibition for public assembly that may lead to a breach of the peace
- Section 1 lists what is critical infrastructure where movement where be limited – airports, hospitals, border crossings, etc.
- The regulations go in to these various prohibitions
- Also prohibits minors from going in to these areas
- All of this is spelled out in the various sections of these order

Canadian Press

- When it comes to banking and crowdfunding – how are we defining crypto currencies, crowdfunding? What proof do we have to show to limit these accounts?

Public Safety

- This is also part of the documents published at 530

Finance

- Banks have procedures in place to identify suspicious activities
- Regulation has the ability for any institution, including police, to share information with financial institutions to detect these
- Crowdfunding and payment service providers are based on activities – platforms that raise money through donations
- Virtual currencies would be covered – they are covered under existing anti-terrorism requirements

French Question

- Will there be other documents issued?

Answer

- My understanding that all documents were issued at 530pm in the Gazette – I will follow-up to confirm
- There were two documents published that detail these measures

**

Duncan Tooley

Regional and Communications Advisor

Office of the President of the Queen's Privy Council for Canada and Minister of Emergency

Preparedness

Duncan.tooley@gpc-cpr.gc.ca

Personal Info.